



Flathead County

Planning & Zoning

1035 1st Ave W, Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210

PETITION FOR ZONING AMENDMENT

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ _____

APPLICANT/OWNER:

1. Name: _____ Phone: _____
2. Mail Address: _____
3. City/State/Zip: _____
4. Interest in property: _____

Check which applies:

☐

Map Amendment

☒

Text Amendment:

TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: _____ Phone: _____
Mailing Address: _____
City, State, Zip: _____
Email: _____

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:

- A. What is the proposed zoning text/map amendment?

IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: _____

- B. Legal Description: _____

(Lot/Block of Subdivision or Tract #)

Section Township Range

(Attach sheet for metes and bounds)

- C. Total acreage: _____

- D. Zoning District: _____

- E. The present zoning of the above property is: _____

- F. The proposed zoning of the above property is: _____

G. State the changed or changing conditions that make the proposed amendment necessary:_____

THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COMMISSIONERS.

Please see attached.

1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?
2. Is the proposed amendment designed to:
 - a. Secure safety from fire and other dangers?
 - b. Promote public health, public safety and the general welfare?
 - c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
3. Does the proposed amendment consider:
 - a. The reasonable provision of adequate light and air?
 - b. The effect on motorized and non-motorized transportation systems?
 - c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?
 - d. The character of the district and its peculiar suitability for particular uses?
 - e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?
4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during approval process.

Victoria Noble

2/18/2010

Owner/Applicant Signature(s)

Date

THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COMMISSIONERS.

1. Is the proposed amendment in accordance with the Growth Policy/Neighborhood Plan?

Yes, the proposed dog day care amendment provides a necessary service that promotes a tourist economy consistent with the unique natural resources, values and amenities of the canyon, as outlined in CALURS 1.2.B3. Visitors that have a safe and convenient daytime activity for their dogs are more likely to spend time and money with local businesses. Furthermore, the performance standards mitigate the impact of the facility on the mixed residential and commercial use of the area.

2. Is the proposed amendment designed to:

a. Secure safety from fire and other dangers?

Yes, it provides a safe daytime activity for tourists' dogs, keeping them off the streets or unsupervised in confined, potentially dangerous spaces (tied to trees, in cars, in RVs, etc).

b. Promote public health, public safety and the general welfare?

Yes, it provides the public with a safe facility to leave their dogs when participating in dog-prohibited activities (hiking in Glacier National Park, restaurants, as well as guided raft, fishing, and horseback rides). The service would provide peace of mind to the dog owners and to the rest of the community by helping reduce the chance of dogs running at large.

c. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

Yes, the proposed amendment provides the community with a regulated, sanitary service. Waste disposal is addressed in the performance standards attached. The amendment is similar in nature to a community park, which is an encouraged use specifically allowed for in CALURS 6.2.A4.

3. Does the proposed amendment consider:

a. The reasonable provision of adequate light and air?

Yes, the facility will provide adequate space both indoors and outdoors. The performance standards address the minimum facility size and setbacks from existing structures to ensure adequate space and prevent overcrowding.

b. The effect on motorized and non-motorized transportation systems?

Yes, the amendment encourages the use of public transport, which does not allow pets, by providing a facility at which tourists can leave their dogs. It prevents visitors from leaving their pets in hot vehicles while they recreate. The amendment does not have a negative impact on motorized and non-motorized transportation systems.

c. Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?

Yes, the Canyon Plan encourages the promotion of a tourist economy while maintaining the unique natural resources of the area. The proposed amendment supports the local tourist economy, at the same time ensuring through its

performance standards a minimal negative impact to neighbors.

d. The character of the district and its peculiar suitability for particular uses?

Yes, the amendment promotes a tourist economy respectful of the nature of the area and type of tourist (visitors traveling with pets). Furthermore, the service is similar in nature to currently allowed uses such as day care, community parks and outdoor recreational activities such as horse back riding, rafting, fishing, etc.

e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?

Yes, the amendment insures a controlled environment for dogs and increases the value of businesses by providing a needed auxiliary service to tourists, allowing them to benefit from and enjoy the area's activities. The performance standards attached give guidelines on size and location of a dog day care facility in relation to existing buildings.

4. Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

Yes, the adjacent districts of Coram and Hungry Horse are un-zoned. However, a dog day care in the canyon area is compatible with the recent dog park in Whitefish and the proposed one in Kalispell.